

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRAIG R. JALBERT, Liquidating Trustee,

Plaintiff,

v.

WAYNE A. RICHARD,

Defendant.

Civil No. 04-11349-RGS

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties to the above-captioned proceeding (the "Proceeding") hereby stipulate pursuant to Fed. R. Civ. P. 41(a)(1)(ii) that the Proceeding, including all claims and counter-claims, is voluntarily dismissed with prejudice and without right of appeal, each party to bear its own costs and attorneys' fees.

Respectfully submitted,

CRAIG R. JALBERT, AS (I) LIQUIDATING TRUSTEE OF, AND ON BEHALF OF, THE LIQUIDATING TRUST ESTABLISHED PURSUANT TO THE FIRST AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION OF SAFO, LLC AND THE CREDITORS' COMMITTEE DATED MAY 16, 2006 IN CHAPTER 11 CASES NO. 04-10523-RS, 04-10524-RS AND 04-10526-RS IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MASSACHUSETTS, AND (II) SUCCESSOR-IN-INTEREST TO THE ORIGINAL PLAINTIFF NORMAN ORENTREICH, M.D.

WAYNE A. RICHARD

By his counsel,

/s/ Andrew Z. Schwartz
Andrew Z. Schwartz (BBO #544653)
Vincent J. Canzoneri (BBO# 549845)
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Dated: January 30, 2007

By his counsel,

/s/ Christine M. Roach (by permission
/s/ Vincent J. Canzoneri)
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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| CRAIG R. JALBERT, Liquidating Trustee, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | Civil No. 04-11349-RGS |
| |) | |
| WAYNE A. RICHARD, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

CERTIFICATE OF SERVICE

I hereby certify that true and accurate copies of the following, which were filed via the Court's ECF system, will be sent electronically by the ECF system to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 30, 2007:

1. Stipulation Of Dismissal With Prejudice; and
2. this Certificate of Service.

/s/ Vincent J. Canzoneri
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January 30, 2007